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APR 15 2004

In the United States Patent and Trademark Office**OFFICIAL**

Applicant: Yung H. Huang et al.
Serial No.: 10/050,801
Confirmation No: 7835
Filed: December 19, 2001

Docket No.: 17623
Group: 3728
Examiner: Luan Kim Bui
Date: April 15, 2004

For: PACKAGE AND METHOD FOR
STORING AND DISPENSING WET
WIPES IN A POP-UP FORMAT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION UNDER 37 C.F.R. § 1.8(b)

Sir:

The present Communication is in response to the Notice of Abandonment mailed March 23, 2004 indicating that the present application is abandoned for Applicants' failure to timely file a proper reply to the Office Action letter mailed on August 11, 2003. The Notice of Abandonment states that no reply has been received (attached herewith).

Applicants are filing the present Communication under the guide lines set forth in 37 CFR § 1.8(b) concerning the situation in which a timely filed correspondence is faxed, and an Auto-Reply Facsimile Transmission received from the Office (attached herewith) but apparently the received papers are lost within the Patent and Trademark Office, resulting in abandonment of the application.

Applicants are hereby promptly informing the Office of the submission of an Amendment in reply to the Office Action mailed August 11, 2003. A proper Amendment was timely submitted by the Applicants on December 11, 2003. Please find enclosed an additional copy of the previously faxed Amendment, Certificate of Facsimile Transmission, Petition for One-Month Extension of Time, and Auto-Reply Facsimile Transmission, all dated December 11, 2003.

I, Michael J. Bendel have personal knowledge as to the timing of the aforementioned Amendment, Certificate of Facsimile Transmission, Petition for One-Month Extension of Time, and Auto-Reply Facsimile Transmission. The Amendment was faxed on December 11, 2003, including a request to please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875. The correspondence submitted on December 11, 2003 also included a transmittal sheet stating Response to Office Action for 16 pages with a signed Certificate of Facsimile

Transmission. We received an Auto-Reply Facsimile Transmission confirmation from the Patent and Trademark Office indicating receipt of transmission on December 11, 2003. Applicants are providing a copy of the United States Patent Office Auto-Reply Facsimile Transmission confirmation showing the printed December 11, 2003 received date, along with the rest of the aforementioned items that were submitted on December 11, 2003.

Also resubmitted at this time is a copy of the previously faxed Supplemental Amendment – Response to Office Action, Certificate of Facsimile Transmission, and Auto-Reply Facsimile Transmission, all dated December 15, 2003.

The Examiner is encouraged to contact the undersigned at her convenience should she have any questions or require any additional information concerning this matter or if the Examiner requires any additional evidence to determine if the above-mentioned correspondence was timely filed.

The undersigned may be reached at 920-721-6854.

Respectfully submitted,

YUNG H. HUANG ET AL.

By: Michael J. Bendel
Michael J. Bendel
Registration No.: 39,605

CERTIFICATE OF FACSIMILE TRANSMISSION

I, Dianna M. Rockey, hereby certify that on April 15, 2004 this document is being facsimile transmitted to: Examiner Luan K. Bui (703-872-9306), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Dianna M. Rockey
Dianna M. Rockey

MAR 29 2004

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cew

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,801	12/19/2001	Yung Hsiang Huang	17,623	7835
23556	7590	03/23/2004	EXAMINER	
KIMBERLY-CLARK WORLDWIDE, INC. 401 NORTH LAKE STREET NEENAH, WI 54956			BUI, LUAN KIM	
			ART UNIT	PAPER NUMBER
			3728	

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

10/050,801

Examiner

Luan K Bui

Applicant(s)

HUANG ET AL.

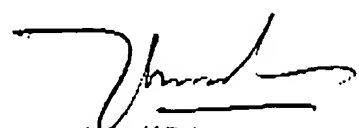
Art Unit

3728

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 11 August 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


 Luan K Bui
 Primary Examiner
 Art Unit: 3728

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Kimberly-Clark Corporation

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KC North

APR 15 2004

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Aband

To:	Name Examiner Luan Kim Bui Group: 3728	Company USPTO	Fax Number (703) 872-9306
Subject:	U.S. Serial No. 10/050,801 K-C Docket No. 17,623 Response to Notice of Abandonment PACKAGE AND METHOD FOR STORING AND DISPENSING WET WIPES IN A POP-UP FORMAT		
	Filed: December 19, 2001		

From:	Michael J. Bendel	Page:	1 of 29
Dept:	Legal Department	Date:	April 15, 2004
Loc:	KC North		


**Communication Under 37 CFR §1.8(b)
Examining Group 3728**

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted
to the patent and trademark office on the date shown below.

Dianna M. Rockey

Name of Person Signing Certificate


Signature

April 15, 2004

Date

This facsimile is for the use of the addressee only and may contain privileged or confidential information that is exempt from disclosure under law. If you are not the addressee or responsible for delivering it to him or her, please know that dissemination, distribution, or copying of this facsimile is prohibited. If you have received this in error, please telephone us promptly and destroy the original.

If you have a problem with or a question about this facsimile, contact:

Name: Dianna M. Rockey

Fax: 920/721-0225

Phone: 920/721-8673